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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

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7 Lemuel Harold Palmer, V,  
8 Petitioner,  
9 v.  
10 Ryan Thornell, et al.,  
11 Respondents.  
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No. CV-24-00303-PHX-DWL  
**ORDER**

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15 Pending before the Court are Petitioner's Petition for Writ of Habeas Corpus  
16 pursuant to 28 U.S.C. § 2254 (Doc. 1) and the Report and Recommendation ("R&R") of  
17 the United States Magistrate Judge (Doc. 11). The R&R, which was issued on July 17,  
18 2024, recommended that the petition be dismissed with prejudice and further provided that  
19 "[t]he parties shall have fourteen days from the date of service of a copy of this  
recommendation within which to file specific written objections with the Court." (Doc. 11  
20 at 19.)

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22 Here, no such objections have been filed and the deadline has expired. Thus, the  
23 Court accepts the Magistrate Judge's recommendation. *See, e.g., Thomas v. Arn*, 474 U.S.  
24 140, 149-50 (1985) ("It does not appear that Congress intended to require district court  
25 review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard,  
26 when neither party objects to those findings."); *Schmidt v. Johnstone*, 263 F. Supp. 2d  
27 1219, 1226 (D. Ariz. 2003) ("[N]o review is required of a magistrate judge's report and  
28 recommendation unless objections are filed."). *See also United States v. Reyna-Tapia*, 328

1 F.3d 1114, 1121 (9th Cir. 2003) (“[T]he district judge must review the magistrate judge’s  
2 findings and recommendations de novo *if objection is made*, but not otherwise.”).

3 Accordingly,

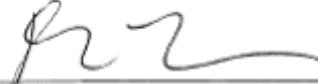
4 **IT IS ORDERED** that the R&R’s recommended disposition (Doc. 11) is accepted,  
5 that the Petition (Doc. 1) is dismissed with prejudice, and that the Clerk of Court shall enter  
6 judgment accordingly.

7 **IT IS FURTHER ORDERED** that a certificate of appealability and leave to  
8 proceed *in forma pauperis* on appeal be **denied** because petitioner has not made a  
9 substantial showing of the denial of a constitutional right and because the dismissal of the  
10 petition is justified by a plain procedural bar and jurists of reason would not find the  
11 procedural ruling debatable.

12 Dated this 12th day of August, 2024.

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Dominic W. Lanza  
United States District Judge